

FEGG 94-259
FEGG MAIL SECTION

Nov 7 2 57 PM '94

DISPATCHED BY

)
)
) MM Docket No. 92-168

)
)
)
)
)

)
)
)
)
)
)

REPORT AND ORDER

Released: November 4, 1994

By the Commission:

1. The Commission, by this decision, changes the license renewal dates of FM radio and television translator stations and low power television (LPTV) stations licensed under Part 74 of the Commission's Rules, to coincide with those of full service radio or television stations operating in the same state. The Commission also eliminates FCC Form 348, Application for Renewal of a Low Power TV, TV Translator, or FM Translator Station License, and revises FCC Form 303-S, Application for Renewal of License for Commercial and Noncommercial Educational AM, FM and TV Broadcast Stations, to include information requests formerly included in Form 348. These form revisions will permit translator stations co-owned with primary stations in the same state which rebroadcast the same signal as the primary station to file for license renewal on a single application form with their primary station.

2. The Notice of Proposed Rule Making (NPRM) initiating this proceeding¹ indicated that, because the current rules do not provide a unified renewal schedule, many licensees that commonly own both full service stations and FM or television translator or LPTV stations located in the same state are required to file multiple renewal applications at different times. Further, because Forms 303-S and 348 are substantially similar in nature, such licensees are required to submit the same information more than once in a brief period of time. The majority of parties commenting in response to the NPRM² agreed with the Commission's initial view that conforming the renewal dates for full service and for FM and TV translators and LPTV stations in the same state and revising Form 303-S would streamline the license renewal process, eliminate paperwork burdens on licensees and on the Commission, and simplify the renewal process for interested members of the public. By coordinating the renewal cycles and merging the application forms, the Commission anticipates saving licensees who own both full service stations and LPTV or translator stations in the same state, time spent in providing duplicate renewal information, and avoiding confusion as to the correct renewal dates. These revisions should also save the Commission staff resources by reducing the likelihood of a licensee filing an application at the wrong time, which must then be returned by the Commission. During the last FM translator renewal cycle (1988-1991) twenty percent of all of the applications received were either filed early or late, causing both the licensee and the Commission time and effort in refiling and reprocessing the applications. The Commission believes that by unifying the renewal cycle for LPTV, translator, and full service stations within a state, instances of such misfiled applications will be substantially reduced.³

3. The NPRM noted that the transition to a revised renewal schedule would entail a one time additional burden on LPTV and translator stations. More particularly, it would result in some LPTV and translator stations receiving short term renewals in order to

¹ See 7 FCC Rcd 4948 (1992).

² Comments in this proceeding were filed by Pulitzer Broadcasting Company; The Post Company; Central Virginia Educational Telecommunications Corporation; Minnesota Public Radio; National Association of Broadcasters (NAB); National Public Radio; Community Broadcasters Association (CBA); and Island Broadcasting Company (Island). Joint Comments were filed by Great American Television and Radio Company, Inc., and Kelly Television Company; and by Mississippi Authority for Educational Television, Oregon Commission on Public Broadcasting, University of North Carolina, and Western New York Public Broadcasting Association (Joint Parties). A Reply Comment was filed by CBA.

³ One commenting party, NAB, asked that the Commission, in eliminating Form 348, be sure to include in revised Form 303-S, a question to verify that the applicant has complied with all relevant FM translator rules, particularly those relating to funding and support of translators outside the full service station's Grade B signal contour. This request is considered and discussed in greater detail in paragraph 10 infra.

synchronize their renewal cycles with those of full service stations in their states. In order to allow such stations to file for renewal coincident with the renewal dates of full service stations in the same states, the NPRM discussed alternatives that would avoid this situation. It rejected one solution -- which would allow such licensees to file for renewal at their normal time and to receive a license for a license term set to expire when the license of their full power counterparts expires. The Commission concluded that this option would be unworkable because certain of these LPTV and translator renewal applicants who would file before the full service stations in their states would then have been granted licenses for terms longer than the maximum five or seven years (for TV and radio station licenses, respectively) prescribed in Section 307(c) of the Communications Act.

4. The NPRM suggested that, instead, such LPTV and translator stations could file for renewal twice during the transition period to the new schedule, once at their normal renewal time for a short term license, and again when the full service stations in their states became due for renewal. This alternative would avoid conflict with Section 307(c), but concerned some of the commenters. Island, for example, notes that LPTV licensees in New York would have to file two renewals within twelve months.⁴ LPTV interests, such as CBA, further argue that, requiring LPTV operators who fall into the category to file for renewal twice during the transition to the new renewal schedule, would burden them with filing an extra renewal application, resulting in costs and risks that "will exceed the small benefit that might accrue from allowing full power station licensees to file full power, low power, and translator renewal applications at the same time."⁵ Such commenters also appear to believe that LPTV stations are more likely than translator stations to incur challenges to their license renewal applications, and that this risk will be increased if such operators must file twice for renewal during the transition to the new schedule.⁶

⁴ See Island Comments at Pgs. 3-4. This repetitive filing would result from situations in which the translator or LPTV station's license is scheduled to expire prior to the expiration of the license terms for full service stations located in the same state. In such instances, the translator or LPTV station would have to file for renewal at the time its license expired and would receive a license the term of which would expire at the same time as those of full service stations of the relevant type (i.e., television or radio) located in the same state. At that time, the translator or LPTV licensees would have to file again.

⁵ CBA Comments at 1-2.

⁶ Additionally, such parties believe that combining LPTV, translator and full power television license renewal on the same form could lead to errors in the Commission's records due the separate processing of the same application in the LPTV and Television Branches or the Auxiliary and FM Radio Branches and need to physically carry the application from one location to another during processing. (See CBA Comments at 2.) As discussed in paragraph 8, the Commission sees no such likelihood.

Discussion

5. We believe that substantial savings to the Commission, broadcasters and the public can be realized by conforming the renewal dates for translator and low power television stations to those for full service stations of the appropriate service (i.e., radio or television) in the same state. We expect these savings to include a streamlined renewal process, the elimination of needless paperwork burdens and a reduction in the incidence of filing errors. Accordingly, we will grant translator and LPTV applicants filing for license renewal a short term renewal with the license period extending only until the end of the license period for full service stations of the relevant type located in the same state; at that time they will have to file again for a full term license renewal. We recognize that this action will require two renewal applications to be filed by some translator and low power licensees within a brief period of time. However, this is a one-time cost that we believe is more than counterbalanced by the long terms savings that will accrue from the synchronization of renewal schedules and consolidation of forms that this action will achieve.⁷

6. There does not appear to be any way to avoid the above-described one-time additional short term renewal for translators and LPTV stations located in some states. If we were to grant LPTV and translator licensees renewals that would last until the end of the full service stations' license terms in situations in which LPTV or translator licenses come up for renewal before those of full service stations in their state, this would violate the limitation on license terms specified in Section 307(c) of the Communications Act of 1934, as amended. If we were to protect translator and LPTV licensees that have to file for renewal twice within brief periods from renewal challenges would violate Section 309 of the Act. However, there is some ameliorative action that we can take. Pursuant to Section 8(d)(2) of the Act, we will waive the application fees for any translator or LPTV license renewal application that is required by this action to be filed within 26 months of the station's most recent prior renewal filing.⁸

7. In situations where full service stations must file for renewal prior to translator and LPTV stations in their state, we will permit, but not require the translator and LPTV

⁷ The fear expressed by some commenters that accelerated renewal filings will be subject to increased renewal challenges appears to be one more of perception than substance. Only 3 challenges to LPTV station renewals were filed during the last renewal cycle (1991-1994); two of those were subsequently withdrawn. In the 1988-1991 renewal cycle fewer than six challenges were filed against translator applications.

⁸ Section 8(d)(2) of the Act, 47 U.S.C. §158(d)(2), provides, "The Commission may waive or defer payment of a charge in any specific instance for good cause shown, where such action would promote the public interest."

stations to file an early renewal to place them on the same renewal schedule as full service stations in their state. We strongly encourage translators and LPTV stations to file coincident with the corresponding full service stations for that state. By doing so, translator stations commonly-owned with primary stations in the same state which rebroadcast the same signal as the primary station can realize the benefit of filing for renewal on a single application form in the upcoming renewal cycle as opposed to waiting until the following cycle. Licensees of translator and LPTV stations that do not elect to take advantage of this option will be required to file for license renewal at the time presently required by their license authorization. In this latter case, a shorter term renewal will be issued for a period to expire coincident with the expiration date for full service stations' licenses in that state.

8. In its comments, CBA expresses the fear that there will be increased instances of application processing errors if full power television renewals and those of LPTV and translator stations are combined into one form. We see no reason to believe this will occur. As stated in the NPRM, incidences of errors should actually be reduced by the action taken today which is intended to simplify, not complicate renewal procedures. Nor can we agree with CBA's position, as expressed in its Reply Comments, that the views of LPTV licensees -- who oppose the change being made herein -- deserve greater weight than those of translator operators -- who tend to favor our proposal -- in considering what action should be taken in this proceeding.

9. CBA also asks that, before taking the actions recommended in the NPRM, the Commission resolve other LPTV issues raised in RM-7772, initiated by Petition For Rulemaking filed by CBA. The Commission adopted a First Report and Order in MM Docket 93-114 responding to CBA's Petition on May 19, 1994.⁹ That decision modified the Commission's standard for acceptance of applications, expanded the Commission's waiver policy regarding terrain shielding, and allowed LPTV operators to use four-letter call signs rather than the existing five character call signs consisting of letters and numbers. The Commission deferred a decision on whether to narrow the definition of what constitutes a major LPTV station modification, choosing to consider this more complex matter further and issue a decision at a later date. We believe that these issues are beyond the scope of this proceeding and are more appropriately resolved in MM Docket 93-113. We further believe that the administrative relief and other benefits inherent in the unification of the renewal cycles and the merging of Forms 303-S and 348 should not be delayed pending a decision on the remaining issue in Docket 93-113 which, we believe, has no connection with the synchronization of license terms.

10. Finally, NAB requests that the Commission, in modifying FCC Form 303-S, include a certification that the applicant has complied with all relevant FM translator rules, particularly those relating to funding and support. We will add to the form a certification

⁹ See First Report and Order in MM Docket No. 93-114, 9 FCC Rcd 2555, 1994.

related, but not identical, to that requested by NAB.¹⁰ Specifically, Question 5(a) on the revised Form 303-S asks for confirmation that the applicant is in compliance with Section 74.1232(d) of the Commission's Rules, which prohibits the common ownership of, or any connection between the FM translator station and the commercial primary station being rebroadcast if the coverage contour of the translator extends beyond the protected contour of the primary station. Similarly, Question 5(b) asks whether the applicant is in compliance with Section 74.1232(e) of the Commission's Rules, which prohibits an FM translator whose coverage extends beyond the protected contour of the commercial primary station being rebroadcast from receiving any support from the primary station or any entity with a connection to the primary station (except for specified technical assistance), before, during, or after construction. This, we believe, will highlight the restrictions placed by our rules on the support translator stations can receive from their primary stations and will assist in achieving compliance with these restrictions.

Final Regulatory Flexibility Analysis

I. Need and Purpose of these Actions:

11. The actions taken in this decision are intended to streamline the license renewal process, reducing the administrative and paperwork burdens on licensees and on the Commission and simplifying the renewal process not only for licensees but for interested members of the public.

II. Summary of Issues Raised by the Public Comments in Response to the Initial Regulatory Flexibility Analysis:

12. No comments were filed in response to the Initial Regulatory Flexibility Analysis.

III. Significant Alternatives Considered and Rejected:

13. The alternative to the actions taken in this proceeding would be to take no action but to continue to require that full service station owners who also own translator or LPTV stations in the same state file similar renewal information multiple times in a short time-period. In modifying Form 303-S and conforming the translator and LPTV renewal dates to those of full power stations in their States, the Commission is reducing the administrative costs and burden on such licensees. The Commission, in

¹⁰ Our decision herein is a narrow one. In allowing full service station licensees who also own translator or LPTV stations in the same state to file for license renewal on the same form, we are not permitting multiple broadcast station license filings on a single form in any other context.

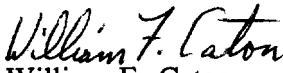
granting short term renewals to LPTV and translator stations whose licenses are due for renewal before those of their full power counterparts in the same state, but granting them a waiver of some filing fees, is selecting the course of action which will be most conducive to the objective of streamlining the translator and LPTV renewal process consistent with law at the least burden to licensees.

Ordering Clauses

14. Accordingly, IT IS ORDERED, pursuant to Sections 4 (i) and 303 of the Communications Act of 1934, as amended, that Parts 73 and 74 of the Commission's Rules are amended as indicated below, effective upon approval of the form revisions by the Office of Management and Budget.

15. IT IS FURTHER ORDERED that FCC Form 348 is eliminated and FCC Form 303-S is amended as indicated below. These form amendments are contingent on approval of the Office of Management and Budget, and therefore will become effective upon such approval.

FEDERAL COMMUNICATIONS COMMISSION


William F. Caton
Acting Secretary

APPENDIX A

Title 47, Parts 1, 73, and 74 of the Code of Federal Regulations are amended as follows:

PART 1 -- COMMISSION ORGANIZATION

1. The authority citation for Part 1 continues to read as follows:

Authority: 47 USC 151, 154.303, and 309(j), unless otherwise noted.

2. Section 1.1104 is amended by removing all references to FCC Form No. 348 throughout the section and adding in its place FCC Form No. 303-S.

3. Section 1.2003 is amended by revising the reference to FCC 303-S and by removing the reference to FCC 348 to read as follows:

Section 1.2003 Applications affected.

FCC 303-S Application for Renewal of License for AM, FM, TV, Translator, or LPTV Station;

PART 73 -- RADIO BROADCAST SERVICES

4. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334.

5. Section 73.1020 is amended by revising paragraphs (a)(1) through (a)(18) to read as follows:

Section 73.1020 Station license period.

(a) ***

- (1) Maryland, District of Columbia, Virginia and West Virginia:
 - (i) Radio stations, October 1, 1995
 - (ii) Television stations, October 1, 1996
- (2) North Carolina and South Carolina:
 - (i) Radio stations, December 1, 1995
 - (ii) Television stations, December 1, 1996
- (3) Florida, Puerto Rico and the Virgin Islands:
 - (i) Radio stations, February 1, 1996
 - (ii) Television stations, February 1, 1997
- (4) Alabama and Georgia:

- (i) Radio stations, April 1, 1996
- (ii) Television stations, April 1, 1997
- (5) Arkansas, Louisiana and Mississippi:
 - (i) Radio stations, June 1, 1996
 - (ii) Television stations, June 1, 1997
- (6) Tennessee, Kentucky and Indiana:
 - (i) Radio stations, August 1, 1996
 - (ii) Television stations, August 1, 1997
- (7) Ohio and Michigan:
 - (i) Radio stations, October 1, 1996
 - (ii) Television stations, October 1, 1997
- (8) Illinois and Wisconsin:
 - (i) Radio stations, December 1, 1996
 - (ii) Television stations, December 1, 1997
- (9) Iowa and Missouri:
 - (i) Radio stations, February 1, 1997
 - (ii) Television stations, February 1, 1998
- (10) Minnesota, North Dakota, South Dakota, Montana and Colorado:
 - (i) Radio stations, April 1, 1997
 - (ii) Television stations, April 1, 1998
- (11) Kansas, Oklahoma and Nebraska:
 - (i) Radio stations, June 1, 1997
 - (ii) Television stations, June 1, 1998
- (12) Texas:
 - (i) Radio stations, August 1, 1997
 - (ii) Television stations, August 1, 1998
- (13) Wyoming, Nevada, Arizona, Utah, New Mexico and Idaho:
 - (i) Radio stations, October 1, 1997
 - (ii) Television stations, October 1, 1998
- (14) California:
 - (i) Radio stations, December 1, 1997
 - (ii) Television stations, December 1, 1998
- (15) Alaska, American Samoa, Guam, Hawaii, Mariana Islands, Oregon and Washington:
 - (i) Radio stations, February 1, 1998
 - (ii) Television stations, February 1, 1999
- (16) Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont:
 - (i) Radio stations, April 1, 1998
 - (ii) Television stations, April 1, 1999
- (17) New Jersey and New York:
 - (i) Radio stations, June 1, 1998
 - (ii) Television stations, June 1, 1999
- (18) Delaware and Pennsylvania:
 - (i) Radio stations, August 1, 1998
 - (ii) Television stations, August 1, 1999

6. Section 73.3500 is amended by revising the reference to Form 303-S and removing the reference to Form 348 to read as follows:

Section 73.3500 Application and report forms.

303-S Application for Renewal of License for AM, FM, TV, Translator, or LPTV Station.

PART 74 -- EXPERIMENTAL RADIO, AUXILIARY, AND SPECIAL BROADCAST AND OTHER PROGRAM DISTRIBUTIONAL SERVICES

7. The authority citation for Part 74 continues to read as follows:

Authority: Secs. 4, 303, 48 Stat. 1066, as amended, 1082, as amended; 47 U.S.C. 154, 303, 554.

8. The heading for Part 74 is revised to read as follows:

PART 74 -- EXPERIMENTAL RADIO, AUXILIARY, SPECIAL BROADCAST AND OTHER PROGRAM DISTRIBUTIONAL SERVICES

9. Section 74.15 is amended by revising paragraph (d) and by adding a note to follow paragraph (d) to read as follows:

Section 74.15 Station license period.

(d) Initial licenses for low power TV, TV translator and FM translator stations will ordinarily be issued for a period running until the date specified in Section 73.1020 of this Part for full service stations operating in their State or Territory, or if issued after such date, to the next renewal date determined in accordance with Section 73.1020. Low power TV and TV translator station licenses will ordinarily be renewed for 5 years and FM translator station license will be renewed for 7 years. However if the FCC finds that the public interest or necessity will be served, it may issue either an initial license or a renewal thereof for a lesser term. The FCC may also issue a license renewal for a shorter term if requested by the applicant. The time of expiration of all licenses will be 3 a.m. local time, on the following dates, and thereafter according to the schedule for full service stations in their states as reflected in Section 73.1020 of this Part:

(1) Nevada:

(i) FM translators, February 1, 1997

(ii) LPTV and TV translators, February 1, 1998

(2) California:

(i) FM translators, April 1, 1997

- (ii) LPTV and TV translators, April 1, 1998
- (3) Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Maryland, Delaware, West Virginia, Ohio and the District of Columbia:
 - (i) FM translators, June 1, 1997
 - (ii) LPTV and TV translators, June 1, 1998
- (4) Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, Missouri, Kentucky, Tennessee, Indiana, Illinois, Michigan, Wisconsin, Puerto Rico and the Virgin Islands:
 - (i) FM translators, August 1, 1997
 - (ii) LPTV and TV translators, August 1, 1998
- (5) Oklahoma and Texas:
 - (i) FM translators, October 1, 1997
 - (ii) LPTV and TV translators, October 1, 1998
- (6) Kansas and Nebraska:
 - (i) FM translators, December 1, 1997
 - (ii) LPTV and TV translators, December 1, 1998
- (7) Iowa and South Dakota:
 - (i) FM translators, February 1, 1998
 - (ii) LPTV and TV translators, February 1, 1999
- (8) Minnesota and North Dakota:
 - (i) FM translators, April 1, 1998
 - (ii) LPTV and TV translators, April 1, 1999
- (9) Wyoming:
 - (i) FM translators, June 1, 1998
 - (ii) LPTV and TV translators, June 1, 1999
- (10) Montana:
 - (i) FM translators, August 1, 1996
 - (ii) LPTV and TV translators, August 1, 1999
- (11) Idaho:
 - (i) FM translators, October 1, 1995
 - (ii) LPTV and TV translators, October 1, 1996
- (12) Washington:
 - (i) FM translators, December 1, 1995
 - (ii) LPTV and TV translators, December 1, 1996
- (13) Oregon:
 - (i) FM translators, February 1, 1996
 - (ii) LPTV and TV translators, February 1, 1997
- (14) Alaska, American Samoa, Guam, Mariana Islands and Hawaii:
 - (i) FM translators, April 1, 1996
 - (ii) LPTV and TV translators, April 1, 1997
- (15) Colorado:
 - (i) FM translators, June 1, 1996
 - (ii) LPTV and TV translators, June 1, 1997
- (16) New Mexico:
 - (i) FM translators, August 1, 1996

- (ii) LPTV and TV translators, August 1, 1997
- (17) Utah:
 - (i) FM translators, October 1, 1996
 - (ii) LPTV and TV translators, October 1, 1997
- (18) Arizona:
 - (i) FM translators, December 1, 1996
 - (ii) LPTV and TV translators, December 1, 1997

Note:

10. The Note following Section 74.733 is amended by removing the reference to 348 in the second sentence and adding in its place 303-S.

APPENDIX B

REVISED FORM 303-S

**APPLICATION FOR RENEWAL OF LICENSE FOR AM, FM, TV,
TRANSLATOR, OR LPTV STATIONS**

INSTRUCTIONS FOR FCC 303-S

APPLICATION FOR RENEWAL OF LICENSE FOR AM, FM, TV, TRANSLATOR, OR LPTV STATION

(FCC FORM 303-S ATTACHED)

A. This form is to be used in applying for renewal of license for a commercial or noncommercial AM, FM or TV broadcast station and FM translator, TV translator or Low Power TV broadcast station. It is also to be used in seeking the joint renewal of licenses for an FM or TV translator station and its co-owned primary FM, TV or LPTV station.

B. FCC Form 303-S consists of Sections I, II, III, IV, and V. Those Sections which do not apply to the station license being renewed should not be submitted as part of your application. Submit relevant sections only.

- All applicants must complete and submit Sections I, II and V of this form.
- Applicants seeking to renew only an AM, FM or TV station license must ALSO complete and submit Section III.
- Applicants seeking to renew only an FM translator, TV translator or Low Power TV station license must ALSO complete and submit Section IV.
- Applicants seeking to renew the licenses of both a translator (FM and TV) and co-owned primary FM, TV or LPTV station on the same form should complete and submit ALL sections of this application.

C. References to FCC Rules are made in this application form. Before filling it out, the applicant should have on hand and be familiar with the current broadcast, translator and LPTV rules, which are contained in 47 Code of Federal Regulations (C.F.R.):

- (1) Part 0 "Commission Organization"
- (2) Part 1 "Practice and Procedure"
- (3) Part 17 "Construction, Marking, and Lighting of Antenna Structures"
- (4) Part 73 "Radio Broadcast Services"
- (5) Part 74 "Experimental, Auxiliary, and Special Broadcast and Other Program Distributional Services"

FCC Rules may be purchased from the Government Printing Office, Washington, D. C. 20402. You may telephone the GPO Order desk at (202) 783-3238 for current prices.

D. An original and one complete copy of the 303-S renewal application, including all exhibits, must be prepared for each station license to be renewed, except that an original and one complete copy, including all exhibits, can be filed for the joint renewal of licenses for a translator and the translator's commonly owned primary station. The application with

all required exhibits should be filed with the Federal Communications Commission in the manner and at the location specified in 47 C.F.R. Section 0.401.

E. Replies to questions in this form and the applicant's statements constitute representations on which the FCC will rely in considering the application. Thus, time and care should be devoted to all replies, which should reflect accurately the applicant's responsible consideration of the questions asked. Include all information called for by this application. If any portions of the application are not applicable, so state. Defective or incomplete applications will be returned without consideration. Furthermore, inadvertently accepted applications are subject to dismissal.

F. In accordance with 47 C.F.R. Section 1.65, the applicant has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in the information furnished.

SECTION I - FEE INFORMATION

By law, the Commission is required to collect charges for certain of the regulatory services it provides to the public. Generally, applicants seeking to renew the license for a commercial AM, FM, TV, FM translator, TV translator or Low Power TV station are required to pay and submit a fee with the filing of FCC Form 303-S. However, governmental entities, which include any possession, state, city, county, town, village, municipal organization or similar political organization or subpart thereof controlled by publicly elected and/or duly appointed public officials exercising sovereign direction and control over their respective communities or programs, are exempt from the payment of this fee. Also exempted from this fee are licensees of noncommercial educational radio or television broadcast stations. (This includes licensees of noncommercial educational FM and full service TV broadcast stations seeking renewal of the licenses for their translator or low power TV stations provided those stations operate on a noncommercial educational basis. Low Power TV or TV translator stations that rebroadcast the programming of a primary noncommercial educational station, but are not co-owned by the licensee of such a station, are required to file fees. In addition, noncommercial FM translators operating on a non-reserved channel (CH 221-300), and that are not co-owned by the licensee of the primary noncommercial educational station, are also required to file fees.) Renewal applicants that earlier obtained either a fee refund because of an NTIA facilities grant for the stations or a fee waiver because of demonstrated compliance with the eligibility and service requirements of 47 C.F.R. Section 73.503 or Section 73.621, and that continue to operate those stations on a noncommercial basis, are similarly exempted from this fee. See 47 C.F.R. Section 1.1112. To avail itself of any fee exemption, the renewal applicant must indicate its eligibility by checking the appropriate box in Question 2(B), Section I. FCC Form 303-S applications NOT involving the payment of a fee can be hand-delivered or mailed to the FCC's Washington, D. C. offices. See 47 C.F.R. Section 0.401(a).

The Commission's fee collection program utilizes a U.S. Treasury lockbox bank for maximum efficiency of collection and processing. All FCC Form 303-S applications, which require the remittance of a fee, must be submitted to the appropriate post office box address. See 47 C.F.R. Section 0.401(b). A listing of the required fee and the address to which FCC Form 303-S should be mailed or otherwise delivered is also set forth in the "Mass Media

Services Fee Filing Guide" which is obtained either by writing to the Commission's Form Distribution Center, 2803 52nd Avenue, Hyattsville, Maryland 20871, or by calling Telephone No. (202) 418-FORM and leaving your request on the answering machine provided for this purpose. See also 47 C.F.R. Section 1.1104.

Payment of any required fee must be made by check, bank draft or money order payable to the Federal Communications Commission, denominated in U.S. dollars, and drawn upon a U.S. financial institution. No postdated, altered or third-party checks will be accepted. DO NOT SEND CASH. Checks dated six months or older will not be acceptable for filing.

Parties hand-delivering FCC Forms 303-S may receive dated receipt copies by presenting copies of the applications to the acceptance clerk at the time of delivery. For mailed-in applications, a "return copy" of the application can be furnished provided the applicant clearly identifies the "return copy" and attaches it to a stamped, self-addressed envelope. Only one piece of paper per application will be stamped for receipt purposes.

For further information regarding the applicability of a fee, the amount of the fee or the payment of the fee, refer to the "Mass Media Services Fee Filing Guide."

SECTION II - QUESTION-BY-QUESTION GUIDELINES

THIS SECTION MUST BE COMPLETED AND SUBMITTED BY ALL APPLICANTS REGARDLESS OF THE SERVICE OF THE STATION FOR WHICH RENEWAL IS BEING SOUGHT.

Question 1. The name of the licensee applicant should be stated exactly as it appears on the station's existing license. The current street address or post office box used by the applicant for receipt of Commission correspondence should be set forth. If this information has been set forth in Question 1, Section I, it need not be repeated here.

Any change in the licensee's name, which does not involve a change in ownership requiring prior Commission approval, can be communicated to the Commission by letter. To report any change in the mailing address previously used by the licensee FCC Form 5072, entitled "Change in Official Mailing Address for Broadcast Station," should be promptly transmitted to the Commission. See 47 C.F.R. Section 1.5.

Question 2. Applicants for AM, FM or TV stations should identify whether it has been licensed by the Commission as a commercial or noncommercial educational licensee. A licensee that merely elects to operate its station on a noncommercial basis is not considered to be a noncommercial educational licensee. The facility should be described by its service, call letters, and specific community of license or area as listed on the station's existing license. See 47 C.F.R. Section 74.1201(a), 74.701(a) and 74.701(f) for definition of an FM translator, TV translator and low power TV broadcast stations respectively. For AM, FM or TV stations the location of the facility should be described in terms of the specific city or community to which the station is licensed. Translator and Low Power TV stations should specify the area the stations are licensed to serve.

Question 3. This question must be completed by a radio or television renewal applicant seeking to continue its authority to operate an FM Booster or TV booster station in conjunction with the primary station. The FM or TV booster station should be described in terms of its call letters and the name of the specific community which it serves.

Question 4. Aliens, foreign governments and corporations, and corporations of which less than 80% of the capital stock is owned or voted by U.S. citizens are prohibited from holding a broadcast station license. Where a corporate licensee is directly or indirectly controlled by another corporation, of which any officer or more than 25% of the directors are aliens or of which less than 75% of that corporation's stock is owned or voted by U.S. citizens, the Commission must consider whether denial of renewal would serve the public interest. Licensees are expected to employ reasonable, good faith methods to ensure the accuracy and completeness of their citizenship representations.

Question 5. Commission policies and litigation reporting requirements for broadcast, translator and LPTV station applicants are directed to focusing on misconduct which violates the Communications Act or a Commission rule or policy and on certain specified non-FCC misconduct. In responding to Question 6, applicants are advised that the parameters of the Commission's policies and requirements regarding character qualifications are fully set forth in Character Qualifications, 102 FCC 2d 1179 (1985), reconsideration denied, 1 FCC Rcd 421 (1986), as modified, 5 FCC Rcd 3252 (1990) and 7 FCC Rcd 6564 (1992).

For the purpose of this question, the term "parties to the application" includes any individual or entity whose ownership or positional interest in the applicant is cognizable under the Commission's multiple ownership rules. See in this regard Report and Order in MM Docket No. 83-46, 97 FCC 2d 997 (1984), reconsideration granted in part, 58 RR 2d 604 (1985), further modified on reconsideration, 61 RR 2d 739 (1986).

Question 6. Each applicant should check the appropriate box to indicate whether a Commission grant of the proposed communications facility(ies) may or may not have a significant environmental impact as defined by 47 C.F.R. Section 1.1307. Briefly, Commission grant of an application may have a significant environmental impact if any of the following are proposed:

- (a) A facility is to be located in sensitive areas (e.g., an officially designated wilderness area, a wildlife preserve area, a flood plain) or will physically or visually affect sites significant in American history.
- (b) A facility whose construction will involve significant changes in surface features.
- (c) The antenna tower and/or supporting structure(s) will be equipped with high intensity white lights and are to be located in residential neighborhoods.
- (d) The facilities or the operation of which will cause exposure of workers or the general public to levels of radio frequency radiation in excess of the "Radio Frequency Protection Guides" recommended in "American National Standard Safety Levels with respect to Human Exposure to Radio Frequency Electromagnetic Fields, 300 kHz to 100 GHz,"

(ANSI C95. 1-1982), by the Institute of Electrical and Electronics Engineers, Inc., 345 East 47th Street, New York, New York 10017.

NOTE: In answering this question, applicants for renewal of FM translator stations which transmit with an effective radiated power of 100 watts or less are excluded from the standards set forth in subparagraph (d) above. However, in determining the appropriate response to this question, such applicants must still perform an analysis of the subject facilities in the context of the matters set forth in subparagraphs (a) - (c) above.

If you answered No, a brief statement explaining the reasons why there will not be a significant environmental impact must be submitted. With respect to RF radiation exposure, the required statement must include a description of the steps that have been taken to protect the general public, station employees, and other persons authorized access to the tower from exposure to RF radiation levels in excess of the specified safety standards and that these steps comply with those required by OST Bulletin No. 65, October, 1985, entitled "Evaluating Compliance with FCC-Specified Guidelines for Human Exposure to Radiofrequency Radiation." The applicant must take into account ALL non-excluded transmitters at and around the station's transmitter site; that is, contributions to environmental RF levels from all nearby radio and television stations, not just the applicant's station, must be considered.

If you answered Yes, submit the required Environmental Assessment (EA). The EA includes for antenna towers and satellite earth stations:

- (a) A description of the facilities, as well as supporting structures and appurtenances, and a description of the site, as well as the surrounding area and uses. If high intensity white lighting is proposed or utilized within a residential area, the EA must also address the impact of this lighting upon the residents.
- (b) A statement as to the zoning classification of the site, and communications with, or proceedings before and determinations (if any) made by, zoning, planning, environmental or other local, state or federal authorities on matters relating to environmental effect.
- (c) A statement as to whether construction of the facilities has been a source of controversy on environmental grounds in the local community.
- (d) A discussion of environmental and other considerations which led to the selection of the particular site and, if relevant, the particular facility; the nature and extent of any unavoidable adverse environmental effects; and any alternative sites or facilities which have been or might reasonably be considered.

The information submitted in the EA shall be factual (not argumentative or conclusory) and concise with sufficient detail to explain the environmental consequences and to enable the Commission, after an independent review of the EA, to reach a determination concerning the proposal's environmental impact, if any. The EA shall deal specifically with any feature of the site which has special environmental significance (e.g., wilderness area, wildlife preserve, natural migratory paths for birds and other wildlife, and sites of historic,

architectural or archeological value). In the case of historically significant sites, it shall specify the effect of the facilities on any district, site, building, structure or object listed in the National Register of Historic Places, 39 Fed. Reg. 6402 (February 19, 1974). It shall also detail any substantial change in the character of the land utilized (e.g., deforestation, water diversion, wetland fill, or other extensive change of surface features). In the case of wilderness areas, wildlife preserves, or other like areas, the statement shall discuss the effect of any continuing pattern of human intrusion into the area (e.g., necessitated by the operation and maintenance of the facilities).

The EA shall also be accompanied with evidence of site approval which has been obtained from local or federal land use authorities.

To the extent that such information is submitted in another part of the application, it need not be duplicated in the EA, but adequate cross-reference to such information shall be supplied.

An EA need not be submitted to the Commission if another agency of the Federal Government has assumed responsibility: (a) for determining whether the facilities in question will have a significant effect on the quality of the human environment and, (b) if it will affect the environment, for invoking the environmental impact statement process.

SECTION III - QUESTION-BY-QUESTION GUIDELINES

THIS SECTION MUST BE COMPLETED AND SUBMITTED ONLY BY APPLICANTS FOR AM, FM OR TV BROADCAST STATIONS.

Question 1(a). Licensees of noncommercial educational and commercial radio and television broadcast stations are required by Commission regulation (47 C.F.R. Section 73.2080) to afford equal employment opportunity to all qualified persons and to refrain from discriminating in employment and related benefits on the basis of race, color, religion, national origin or sex. In conjunction therewith, every station with five or more full-time employees must file an employment report on or before May 31 of each year, identifying the station's staff by gender, race, color and/or national origin in each of nine major job categories. See 47 C.F.R. Section 73.3612.

In addition, all AM, FM and TV stations must file an original and one copy of an Equal Employment Opportunity Report (FCC Form 396) with their renewal application. This EEO form is required of all such licensees even where they do not employ five or more full-time employees or where there are less than 5% minorities in the labor force (however, in such cases you need only complete the first 2 pages of the EEO form).

Question 1(b). Each noncommercial educational broadcast station licensee is required to submit a current and complete ownership report (FCC Form 323-E) with its station's renewal application. See 47 C.F.R. Section 73.3615(d). In such cases, the question should be answered affirmatively. However, if the Form 323-E submitted with the station's last renewal application is "up-to-date" and has not been amended, a new ownership report need not be filed with the current renewal application. The applicant should then answer the question negatively and supply the filing date of that report and the call letters of the

station for which it was submitted. An "up-to-date" Form 323-E ownership report is one that is current for **each** question on that report.

A commercial broadcast station licensee is required to submit a current and complete ownership report (FCC Form 323) once each year on the anniversary of the date that its license renewal application is required to be filed. See 47 C.F.R. Section 73.3615(a). Licensees of multiple commercial broadcast stations with different renewal anniversary filing dates may elect a single date to submit information, but the ownership reports may not be submitted more than one year apart. If no changes have occurred, the licensee may submit a written certification to that fact, instead of filing a new Form 323 each year. In addition, where the licensee is a partnership composed entirely of natural persons, the annual reporting requirement does not apply. Similarly, sole proprietorships are exempt from the requirement to file annually.

All commercial broadcast station licensees that are not exempt from the annual reporting program are required to file Form 323 SEPARATELY from their renewal applications. The annual ownership report (Form 323 or written certification), accompanied by its requisite fee payment for each station covered by that report, should be sent to the U.S. Treasury lockbox bank at the appropriate address and in the manner specified in the "Mass Media Services Fee Filing Guide." Additional information regarding the submission of this report is set forth in the Commission's Public Notice of June 6, 1990, entitled "Broadcast Annual Ownership Report."

Question 2. A licensee must maintain certain documents pertaining to its station in a file which is usually kept at the station's main studio or other accessible place in the community of license. The file must be available for inspection by anyone during regular business hours. The documents to be maintained generally include applications for a construction permit and for license renewal, assignment or transfer of control; ownership and employment reports; and quarterly lists of the community issues most significantly addressed by the station's programming during the preceding three months. In addition, commercial television licensees only are required to maintain and make available to the public certain records regarding children's programming and the amount of commercial matter aired during the station's broadcast of children's programming. A complete listing of the required documents and their mandatory retention periods is set forth in 47 C.F.R. Sections 73.3526 and 73.3527.

Question 3. This question should be completed only by a commercial radio or television renewal applicant. Licensees for these stations should note that anytime it finds it necessary to cease broadcasting it must notify the Commission's Washington, D.C. office, by letter, not later than the 10th day of discontinued operation. Further, if a licensee finds it necessary to cease broadcasting in excess of 30 days, it must, no later than the 30th day of the station being silent, submit a letter request (no filing fee is required) to the Commission's Washington, D.C. office for temporary authority to remain silent. The request must include the date the station ceased broadcasting; a detailed explanation of the reasons why it was necessary to take the station off the air; efforts being made to restore service; and the date by which resumption of operation is anticipated. The request must also include a certification relating to Section 5301 of the Anti-Drug Abuse Act of 1988 (See, as an example, Section V, Certification (1), of this Form). Extensions of temporary authority to

remain silent must be timely requested if station operations do not resume within the time given. Licensees must notify the Commission's Washington, D.C. office, by letter, once operations have resumed, giving the date that operations resumed. See 47 C.F.R. Sections 73.1740 and 73.1750.

Question 4. This question should be completed by commercial TV applicants only. Programming directed to the educational and informational needs of children is an identifiable unit of program material that is not a commercial or promotional announcement, that is originally produced and broadcast for an audience of children 16 years of age and under, and that furthers the positive development of the child in any respect, including, but not limited to, the child's cognitive/intellectual or emotional/social needs.

Questions 4(b) and (c). Commercial television licensees must limit the amount of commercial matter in "children's programming", which is defined for this purpose as programming originally produced and broadcast primarily for an audience of children 12 years of age and under. The children's programming commercial limitations are no more than 12 minutes of commercial matter per hour on weekdays and no more than 10.5 minutes of commercials on weekends. The commercial limits also apply pro rata to children's programs which are 5 minutes or more and which are not part of a longer block of children's programming. There are no restrictions on how commercials within the limits are configured within an hour's block of children's programming, i.e., it is not necessary to prorate the commercial limits for separate children's programs within the hour.

SECTION IV - QUESTION-BY-QUESTION GUIDELINES

THIS SECTION MUST BE COMPLETED AND SUBMITTED ONLY BY APPLICANTS FOR FM OR TV TRANSLATOR OR LPTV BROADCAST STATION.

Question 1. An FM or TV translator or LPTV station is expected to provide continuous service except where causes beyond its control warrant interruption. Where causes beyond the control of the licensee make it impossible to continue operation, the station may discontinue operation for a period of 30 days without further authority from the FCC. However, notification of the discontinuance must be sent to the FCC in Washington, D.C. no later than 10 days after the discontinued operation. (See Section III, Question 3 of these Instructions for procedures for requesting temporary authority to remain silent if the licensee finds it necessary to cease transmitting for more than 30 days.) Failure to operate for a period of 30 days or more, except for causes beyond the control of the licensee, shall be deemed evidence of discontinuation of operation and the license of the translator or LPTV station may be cancelled at the discretion of the FCC. See 47 C.F.R. Sections 74.763 and 74.1263

Questions 2 and 3. Section 325(a) of the Communications Act of 1934, as amended, prohibits the rebroadcast of the programs of a broadcast station without the express authority of the originating station. Where the renewal applicant is not the licensee of the originating station, written authority must be obtained prior to any rebroadcasting. Also, where the licensee has changed the station being rebroadcast, written notification must be made to the Commission in accordance with 47 C.F.R. Section 74.784 or 74.1251.

Question 4. This question should be answered by licensees of Low Power TV broadcast stations only. Licensees of Low Power TV broadcast stations are required by 47 C.F.R. Section 73.2080 to afford equal employment opportunity to all qualified persons and to refrain from discriminating in employment and related benefits on the basis of race, color, religion, national origin or sex. In conjunction with these provisions, every station with five or more full-time employees must file an employment report on or before May 31 of each year, identifying the station's staff by gender, race, color and/or national origin in each of nine major job categories. See 47 C.F.R. Section 73.3612.

In addition, LPTV stations must file an original and one copy of an Equal Employment Opportunity Report (FCC Form 396) with their renewal application. This EEO form is required of all such licensees even where they do not employ five or more full-time employees or where there are less than 5% minorities in the labor force (however, in such cases you need only complete the first 2 pages of the EEO form).

Question 5(a). The provisions of 47 C.F.R. Section 74.1232(d) provide that an authorization for an FM translator station whose coverage contour extends beyond the protected contour of the commercial primary station (i.e., other area FM translator) will not be granted to the licensee of a commercial FM radio broadcast station, or to any person or entity having any interest or connection with a primary FM station. For the purposes of this rule, interested and connected parties extend to group owners, corporate parents, shareholders, officers, directors, employees, general and limited partners, family members and business associates.

Question 5(b). The provisions of 47 C.F.R. Section 74.1232(e) provide that an authorization for an FM translator station whose coverage contour extends beyond the protected contour of the commercial primary station (i.e., other area FM translator) shall not receive any support, before, during or after construction, either directly or indirectly, from the commercial primary FM radio broadcast station, or from any person or entity having any interest or connection with the primary FM station. For the purposes of this rule, interested and connected parties extend to group owners, corporate parents, shareholders, officers, directors, employees, general and limited partners, family members and business associates.

SECTION V- QUESTION-BY-QUESTION GUIDELINES

THIS SECTION MUST BE COMPLETED AND SUBMITTED BY ALL APPLICANTS REGARDLESS OF THE SERVICE OF THE STATION FOR WHICH RENEWAL IS BEING SOUGHT.

The first three questions of this Section are intended to assure that the applicant has attached and included with its application all Sections of this form that pertain to the particular station for which a license renewal is sought.

Certification. As indicated above, responses to the questions set forth in FCC Form 303-S constitute representations upon which the Commission relies in considering whether renewal of the subject license would be in the public interest. Upon completion of the application form and the attached exhibits, the certification must be dated and signed.

The original copy of FCC Form 303-S must be personally signed by the applicant, if the applicant is an individual; by one of the partners, if the applicant is a partnership; by an officer, if the applicant is a corporation; by a member who is an officer, if the applicant is an unincorporated association; by such duly elected or appointed officials as may be competent to do so under the laws of the applicable jurisdiction, if the applicant is an eligible government entity; or by the applicant's attorney in case of the applicant's physical disability or absence from the United States. The attorney shall, in the event he/she signs for the applicant, separately set forth the reason why the application is not signed by the applicant. See 47 C.F.R. Section 73.3513. Original copies of applications bearing signatures of unauthorized persons or photo or other reproduced copies of signatures are not acceptable.

FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

The solicitation of personal information requested in this application is authorized by the Communications Act of 1934, as amended. The Commission will use the information provided in the application to determine if the benefit requested is consistent with the public interest. In reaching that determination, or for law enforcement purposes, it may become necessary to refer personal information contained in this form to another government agency. In addition, all information provided in this form will be available for public inspection. If information requested on the form is not provided, the application may be returned without action having been taken upon it or its processing may be delayed while a request is made to provide the missing information. Your response is required to obtain the requested authorization.

Public reporting burden for this collection of information is estimated to vary from 1 hour to 4 hours and 30 minutes per response, with an average of 1 hour and 2 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden to the Federal Communications Commission, Records Management Division, Washington, DC 20554, and to the Office of Management and Budget, Office of Information and Regulatory Affairs, Paperwork Reduction Project (3060-0110), Washington, DC 20503.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3), AND THE PAPERWORK REDUCTION ACT OF 1980, P.L. 96-511, DECEMBER 11, 1980, 44 U.S.C. 3507.

FOR
FCC
USE
ONLY

FCC 303-S
APPLICATION FOR
RENEWAL OF LICENSE
FOR AM, FM, TV,
TRANSLATOR OR
LPTV STATION

FOR COMMISSION USE ONLY

FILE NO.

AM, FM and TV APPLICANTS MUST COMPLETE AND SUBMIT SECTIONS I, II, III AND V ONLY.

FM TRANSLATOR, TV TRANSLATOR and LPTV APPLICANTS MUST COMPLETE AND SUBMIT SECTIONS I, II, IV AND V ONLY.

IF APPLICATION IS FOR RENEWAL OF LICENSES FOR BOTH A PRIMARY STATION and A CO-OWNED TRANSLATOR WHICH REBROADCASTS THE PRIMARY STATION'S SIGNAL, APPLICANT MUST COMPLETE AND SUBMIT SECTIONS I, II, III, IV AND V.

SECTION I (FEE INFORMATION) - TO BE COMPLETED BY ALL APPLICANTS

1. PAYOR NAME (Last, First, Middle Initial)

MAILING ADDRESS (Line 1) (Maximum 35 characters)

MAILING ADDRESS (Line 2) (Maximum 35 characters)

CITY

STATE OR COUNTRY (if foreign address)

ZIP CODE

TELEPHONE NUMBER (include area code)

CALL LETTERS

OTHER FCC IDENTIFIER (IF APPLICABLE)

2. A. Is a fee submitted with this application?

☐ Yes ☐ No

B. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1112):

☐ Governmental Entity ☐ Noncommercial educational licensee ☐ Other (Please explain):

C. If Yes, provide the following information:

Enter in Column (A) the correct Fee Type Code for the service you are applying for. Fee Type Codes may be found in the "Mass Media Services Fee Filing Guide." Column (B) lists the Fee Multiple applicable for this application. Enter in Column (C) the result obtained from multiplying the value of the Fee Type Code in Column (A) by the number listed in Column (B).

	(A)	(B)	(C)										
	FEE TYPE CODE	FEE MULTIPLE (if required)	FEE DUE FOR FEE TYPE CODE IN COLUMN (A)	FOR FCC USE ONLY									
(1)	<table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td></td><td></td><td></td><td></td></tr></table>					<table border="1"><tr><td>\$</td></tr></table>	\$	<table border="1"><tr><td></td></tr></table>	
\$													

To be used only when you are requesting concurrent actions which result in a requirement to list more than one Fee Type Code.

	(A)	(B)	(C)										
				FOR FCC USE ONLY									
(2)	<table border="1"><tr><td></td><td></td><td></td></tr></table>				<table border="1"><tr><td></td><td></td><td></td><td></td></tr></table>					<table border="1"><tr><td>\$</td></tr></table>	\$	<table border="1"><tr><td></td></tr></table>	
\$													

ADD ALL AMOUNTS SHOWN IN COLUMN C, LINES (1) AND (2), AND ENTER THE TOTAL HERE. THIS AMOUNT SHOULD EQUAL YOUR ENCLOSED REMITTANCE.

TOTAL AMOUNT REMITTED WITH THIS APPLICATION	FOR FCC USE ONLY		
<table border="1"><tr><td>\$</td></tr></table>	\$	<table border="1"><tr><td></td></tr></table>	
\$			

SECTION II - TO BE COMPLETED BY ALL APPLICANTS

1. NAME OF LICENSEE OF AM, FM OR TV STATION	NAME OF LICENSEE OF FM OR TV TRANSLATOR OR LOW POWER TV STATION	
MAILING ADDRESS		
CITY	STATE	ZIP CODE

2. This application is for: (a) ☐ Commercial ☐ Noncommercial

☐ AM ☐ FM ☐ TV

Call Letters	Community of License	
	City	State

(b) ☐ FM Translator ☐ TV Translator ☐ Low Power TV

Call Letters	Area Licensed to Serve	
	City	State

Call Letters	Area Licensed to Serve	
	City	State

3. Attach as an Exhibit an identification of any FM booster or TV booster station for which renewal of license is also requested.

Exhibit No.

4. Is the applicant in compliance with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments?

☐ Yes ☐ No

If No, attach as an Exhibit an explanation.

Exhibit No.

 No

5. Since the filing of the applicant's last renewal application or any other application for the subject station(s), has an adverse finding been made or final action been taken by any court or administrative body with respect to the applicant or parties to the application in a civil or criminal proceeding, brought under the provisions of any law relating to the following: any felony; mass media related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination?

☐ Yes ☐ No

If the answer is Yes, attach as an Exhibit a full disclosure concerning the persons and matters involved, including an identification of the court or administrative body and the proceeding (by dates and file numbers), and the disposition of the litigation. Where the requisite information has been earlier disclosed in connection with another application or as required by 47 U.S.C. Section 1.65(c), the applicant need only provide: (i) an identification of that previous submission by reference to the file number in the case of an application, the call letters of the station regarding which the application or Section 1.65 information was filed, and the date of filing; and (ii) the disposition of the previously reported matter.

Exhibit No.

6. Would a Commission grant of this application come within 47 C.F.R. Section 1.1307, such that it may have a significant environmental impact, including exposure of workers or the general public to levels of RF radiation exceeding identified health and safety guidelines issued by the American National Standards Institute?

☐ Yes ☐ No

NOTE: Licensees of FM translator stations transmitting with an effective radiated power (ERP) of 100 watts or less are not subject to the RF radiation requirements of 47 C.F.R. Section 1.1307(b).

If Yes, attach as an Exhibit an Environmental Assessment, as required by 47 C.F.R. Section 1.1311.

Exhibit No.

If No, explain briefly why not.